

**Civic Monthly Meeting**  
**August 6, 2013**

**Attendance:**

Guest: Toby Riding

Members: Ed Rohrbach, Rodney Jester, Valery Hutchinson & Tom Wheeler

Meeting Convened: 7:03 p. m.

**Communal Garden**

Rodney: Does not think the Civic Committee should make the decision since the town originally made the decision to plant those trees and came up with a landscaping plan for the green. The children's playground has been converted to a communal garden with a tree that is shading the garden. Whether the tree is cut down or not Rodney believes it is the gardeners responsibly to present their views and request to the town assembly.

Tom: A suggestion was proposed to expand the garden into the sun and shift things around so the tree and the garden would remain in its current location. His understanding is that the gardeners were not interested.

Toby: The gardeners are interested in using the garden to the maximum in its current location.

Ed: That is the motion you want to bring to town assembly; it is not the civic committee decision.

Toby is concerned that the town might not know which tree in the garden they are referring to.

Ed suggest to take a picture of the tree. Rodney further added to provide copies of the garden plot and identify the tree and its relation to the garden plot. Provide visual handouts at the town meeting.

Tom wanted to know why cant the garden go into the sun a little bit.

Toby has been documenting the rotation of the sun around the garden and she discovered there is no sun beyond the garden fence. Toby received a letter from Peter Lindtner reasons why he recommendations removal of the tree. (copy attached)

**Sue Rothrock Email:**

Rodney Jester reviewed email from Sue Rothrock. (copy attached)

New band deck encroached on town land and probably not built with a permit.

Rodney: If we are going to allow this we need to obtain a letter indemnifying the Village from any legal aspect. (liability issue). It is one lot in that there is no dividing boundary between memorial garden and the Ardens.

Tom thinks it makes sense to have memorial gardens under Civic. Civic should request to take it back. Will present at next Town Advisory.

Recommendation: Band deck along with electrical box needs to be moved because it presents a hugh encroachment and a hugh liability.

Tanzer propety damage by Ron's truck. Ed went down to investigate and said he really did not see

anything other than some very small tire ruts from Ron's truck.

Tom also went down to check it out and he observed that the trenches were cleaned which helped the drainage situation.

Ed does not see any indication that those curb stones moved. They were displaced years ago; nothing recent.

#### **2409 Woodland Ln ( Bob Wynn's & sons Leasehold)**

Tom Wheeler has removed himself formally from any discussions pertaining to Bob Wynn's leasehold because he has been retained by Bob Wynn to market 2409 Woodland Ln.

Copy of letter sent to Bob Wynn from the Forest Committee (per attachment)

#### **Roads**

##### **E. Earle Downing, Inc Proposal**

Ed reviewed contract proposal by E. Earle Downing, Inc. Asphalt Pavement Specialists (copy attached).

- Ed Survey roads, pot holes and repaving. Costs \$7, 987.50.
- Repaving a section of Pond Ln to install a concrete gutter . The pavement is eroding away where there is drainage problem. Tom believes the road (not all but a large part of the road) is on Alton's leasehold. The road is on Ed's map. Install a concrete drainage swale across the road to get the water so it does not continue to erode the road. Cost concrete drainage swale \$2,825.
- Paving Woodland Lane ( Green Ln to the end of Nordheimer's driveway). Repave whole road because it is completely disintegrated. Tom requested that it be gravel so people can park (Gravel is not part of the bid). Tom is bringing it up as a Civic item because the ordinance stipulates park two wheels on and two wheels off. Ed says typically that is up to the Lessee to pave their own. If you want to provide a place off the road for people to park, that is the leaseholders responsibility. Tom pointed out that in the past Ron Ozer's property was graveled by the town and they have requested we do it again. Ed does not think this is the towns responsibility. Rodney says The town allowed off street parking but it is the leaseholders responsibility to maintain it. They were not allowed to put anything permanent there that could not be torn up to access utilities.. Ed we are not graveling shoulders. Everyone has shoulders and that could become a big issue. Cost \$6,755.00
- Section of st Martins Ln it is about 230 feet and 10 ft wide. \$5,855.00
- Section walnut between 2323 to 2320 bad shape proposing to pave in the same way.\$8,655.
- Restoring the paint on the speed bumps so people can see them better. \$1,625.00 If you want additional speed bumps it would be \$75/each.

Total Proposal \$33, 702.50 plus additional cost to cover paving Little Ln (near Cookie Ohlson)

Group believes there are sufficient municipal street funds available of approximately \$44,000 to cover proposal. In addition, beginning 2014 budget approximately \$17,000. Also, Ed pointed out that Civic received a letter from the Department of Transportation dated July 9, 2013 awarding a grant from the state of Delaware in the amount of \$5,000. The group agreed Downy's Proposal is Ok provided

they added paving Little Ln and gravel road near or on side of Nordheimer's leaseholde.

### **Trees**

Tom Wanted to know if Ed had a chance to check out the tree on Lovers Ln path? Ed does not believe the beach tree is on town property. It is very narrow path and he believes it is on Mary Arden's parents leasehold (1913 Orleans Rd). They need to be contacted to inform them it is deemed to be unsafe. If no response to your letter then contact Mike Curtis.

Valery: Two trees located near Val's and Burslem on Lower Ln. Ed saw a tree leaning but not dead or did not see any problem.

Tom agrees with Patros path and thinks Lovers Ln path needs to be cleaned up with a weed whacker. Heritage guy contact .

Adjourn meeting at 8:15 P.M.

Respectfully submitted  
Elizabeth Resko  
Arden Town Secretary

**CIVIC**

Sat, Aug 3, 2013 at 5:55 PM

**From** Susan Rothrock

**To** Rodney Jester

As promised.....

Sea oats. You know what I'm talking about!!

Tree grove at the Buzz..... To deter broken limbs from climbing and to improve visibility, trees could be pruned up from the ground.

Patro's Path..... We payed a lot to have the base prepared properly so it would not sink. However, it has to be "weedwacked" down to the stone to stop it from growing over. This has not been done at all. You can barely see the path now.

A "Clubhouse Path" sign post showed up at my door a while back. It should be reinstalled.

There used to be a solar light on the bulletin boards. Seems like it would work at the Buzz now that the tree is cut down.

Wow! I was shocked to see how far onto Village land the Club built the new band deck! Yes, Civic should have issue with that. We don't allow any other leaseholder to encroach like that!

OK, rant is over.

Good tomatoes

Thanks,  
Sue

PETER LINDTNER  
3222 S. Landsdowne Drive  
Cardiff  
Wilmington, Delaware 19810  
Tel: (302) 477-0419 • Fax: ~~(302) 477-0518~~

Aug 6, 2013


To whom it may concern:

Subject: Recommendation of removal of the willow oak tree by community garden

Five years ago nobody expected that small willow oak tree beside the fence will grow at such a great speed and cause in this one year about 30% shade over the vegetable garden (especially in the morning). This tree started growing unexpectedly first due to soil improvements with the mushroom soil added to the garden which it's accumulated causing rapid growth of the root system. In addition, the frequent watering's of the vegetable garden in spring and summer has helped with the rapid growth. The life of this tree is like somebody has had daily free lunch at the DuPont Hotel. Without changes, in 3-5 years, the tree will make shade to half of the garden, which will make the vegetable garden useless. Therefore I recommend removal of the whole tree this year, before it grows bigger. This is not very rare tree; you can see this species growth on every second street. Even I hate to remove trees-we need more for fighting pollution, unfortunately this tree in in the wrong place.

With Best Wishes

Peter Lindtner





## E. EARLE DOWNING, INC.

*Asphalt Pavement Specialists*

P.O. Box 1151  
Wilmington, DE 19899  
Telephone: (302)656-9908  
Fax: (302)656-1290  
Established 1938



Village of Arden  
Ed Rohrbach  
2119 The Highway  
Arden, DE 19810

475 3202

**PROJECT REFERENCE:**  
Little Lane : Paving

**DRAWINGS USED FOR CALCULATIONS:**

A portion of Little Lane, 160' X 14' will be repaved using the following scope of work:

### Scope of Work

1. Remove the asphalt surface and dispose off site.
2. Prepare the sub grade and saw cut the edges at each end.
3. Pave the area 160' X 13' with 3" two course hot mix.

We hereby propose to furnish labor, equipment and materials complete, in accordance with above specifications, for the sum of: Nine Thousand Eight Hundred Seventy Five Dollars & 00 cents

Dollars (\$ 9,875.00)

with payment to be made as follows: 20% deposit with signed proposal, balance 15 day from invoice submittal.

Unless explicitly included, the following are excluded: Procurement of permits, fees or testing. removal of rock, unstable ground conditions or unforeseen obstacles,. Damage to utilities not explicitly delineated. Payments are due 15 days from invoice date unless otherwise specified. Late payments are subject to a 1 ½% interest charge per month. This proposal is based on current material and energy costs and is subject to increase.

ACCEPTED: Edward Rohrbach  
Signature (owner's representative)

PRINTED NAME: EDWARD ROHRBACH

DATE: 8/14/2013

IN HIS SERVICE,

BY: Bruce Downing  
Downing representative

DATE: August 9, 2013



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Ed Rohrbach  
2119 The Highway  
Arden, DE 19810  
302 475 3202

**Road Repairs**

**DRAWINGS USED FOR CALCULATIONS:**

20 areas on various streets will be saw cut, removed to a 3 1/2" depth and paved with 3 1/2" two course hot mix. These areas total 1,278 sq feet in total area.

COST-----\$7,987.50

Pond Lane & Meadow Lane: Install a concrete swale 8' X 12', 6" thick with welded wire reinforcement on a 6" stone base. Concrete to be 3,500 psi.

COST-----\$2,825.00

Woodland Lane 130' X 10', remove the existing surface and pave with 3" two course hot mix.-----\$6,755.00

St Martins Lane, 230' X 10' we will not remove the existing surface. We will saw cut tie in joints at termination points 36" wide for a solid, smooth tie in. The road will then be paved with a leveling course of hot mix, followed by a 2" layer of hot mix

COST-----\$5,855.00

Walnut Lane from 2323 to 2320 a distance of 200', we will remove the surface and pave with 3" two course hot mix.

COST-----\$8,655.00

Paint a yellow "X" on 13 speed humps with a yellow perimeter, throughout Arden as determined by Ed Rohrbach.  
----- \$1,625.00

Additional humps, if added, will be billed at \$75.00 per hump.

We hereby propose to furnish labor, equipment and materials complete, in accordance with above specifications, for the sum of: As noted above

Dollars (\$ As noted above )

with payment to be made as follows: 20% Deposit with signed proposal , balance net 15 days from invoice

Unless explicitly included, the following are excluded: Procurement of permits, fees or testing. removal of rock, unstable ground conditions or unforeseen obstacles,. Damage to utilities not explicitly delineated. Payments are due 15 days from invoice date unless otherwise specified. Late payments are subject to a 1 1/2% interest charge per month. This proposal is based on current material and energy costs and is subject to increase.

ACCEPTED: Edward Rohrbach  
Signature (owner's representative)

PRINTED NAME: EDWARD ROHRBACH

DATE: 8/14/2013



IN HIS SERVICE,  
BY: Bruce Downing President  
Downing representative

DATE: July 31, 2013

Danny H. Schmitt  
8-14-2013

William A. Schmitt  
8/14/2013

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Arden Forest Committee  
Buzz Ware Village Center  
2119 The Highway  
Arden, DE 19810-4058

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22 July, 2013

Mr. Bob Wynn  
Mr. Kenny Wynn  
15 Indian Field  
Wilmington, DE 19810

Via U.S. Certified Mail and email

Re: Access to Arden Forest near 2409 Woodland Lane

Dear Bob and Kenny:

Thank you for taking the time to meet with us regarding access and the right of way bordering your property (2409 Woodland Lane, Arden, Delaware). We need to resolve with you any remaining issues about this so that you can access your property, and so that the Town's property and interests can be protected.

Now that final grading is completed, it is necessary to define an appropriate access easement for the property, and come to an equitable agreement with the Town. These negotiations between you and the Arden Forest Committee should take place as soon as possible and be completed by Monday, August 7, 2013. After that date, if no agreement has been negotiated, barriers will be placed near your property in the forest to protect the forest and prevent any vehicles from driving into the forest.

This will be a draft agreement that will grant you the right to drive into the forest within certain boundaries near your property on a temporary basis, and assure that you will grant the Town fair compensation for this forest encroachment. The Committee will bring the draft agreement to a Town Meeting as soon as possible for final approval. After Town Meeting has approved the agreement, it will become a permanent feature of the leasehold.

We have enclosed a draft agreement as a starting point for discussion. We look forward to working towards a positive resolution of these issues in a timely fashion. Please contact us via email or phone (Katrina Streiff: [streiff302@gmail.com](mailto:streiff302@gmail.com) 302 475-6958 or Carol Larson: [carol2339@verizon.net](mailto:carol2339@verizon.net) 302 475-6883) to arrange for the next meeting at your earliest convenience.



Sincerely,

The Arden Forest Committee  
Carol Larson, Katrina Streiff, co-chairs;  
Jennifer Borders, Secretary;  
Roger Garrison,  
Edward Rohrbach

cc: Arden Trustees, Civic Committee, Ted Rosenthal, Esq.

Enclosure

Arden Forest Committee  
Buzz Ware Village Center  
2119 The Highway  
Arden, DE 19810-4058

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### Temporary Easement Agreement for 2409 Woodland Lane, Arden Delaware

In order to provide the leaseholder with access to and from the garage at 2409 Woodland Lane, and to protect the Arden forest and the Town's interests, the Forest Committee, Civic Committee, and the Trustees of Arden and the Leaseholder agree to the following:

1. An easement for vehicular access to the garage: the area will extend from the Town right-of-way and will form a truncated triangle comprising approximately \_\_\_\_ square feet of public land bordering the structure at the garage entrance to the point where the garage ends at the east side/downstream direction of Naamans Creek.
2. In exchange for the above area, an easement for the public use of the concrete pad above the stair structure along the Creek.
3. This temporary easement will become permanent pending final approval of the Arden Town Meeting and when all parties sign a final easement document. It will attach to the leasehold upon transfer.

### Signatures:

Leaseholder: \_\_\_\_\_

Date: \_\_\_\_\_

Civic Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Forest Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Trustee: \_\_\_\_\_

Date: \_\_\_\_\_

Trustee: \_\_\_\_\_

Date: \_\_\_\_\_

Trustee: \_\_\_\_\_

Date: \_\_\_\_\_

Sincerely,

The Arden Forest Committee  
Carol Larson, Katrina Streiff, co-chairs;  
Jennifer Borders, Secretary;  
Roger Garrison,  
Edward Rohrbach

cc: Arden Trustees, Civic Committee, Ted Rosenthal, Esq.

Enclosure